



Saturation Patrols and Sobriety Checkpoints

What are saturation patrols?

Saturation patrols, which are legal in all 50 States, are concentrated enforcement efforts that target impaired drivers by through observations of moving violations such as reckless driving, speeding and aggressive driving. Law enforcement officers identify drivers and motorcyclists that exhibit certain behaviors when the vehicle is in motion. Well-publicized saturation patrols educate the driving public, signifying to motorists that breaking traffic laws is a serious problem and that violators will be punished.

What are sobriety checkpoints?

At sobriety checkpoints, law enforcement officials evaluate drivers for signs of alcohol or drug impairment at certain points on the roadway. Vehicles are stopped in a specific sequence, such as every other vehicle or every fourth, fifth or sixth vehicle. The frequency with which vehicles are stopped depends on the personnel available to staff the checkpoint, as well as overall traffic congestion. Well-publicized checkpoint programs educate drivers who pass through the checkpoint, signifying to motorists that impaired drivers will be caught.

Are sobriety checkpoints legal?

In 1990, the U.S. Supreme Court upheld the constitutionality of sobriety checkpoints in *Michigan v. Sitz*. The court ruled that the interest in reducing the incidence of impaired driving was sufficient to justify the brief intrusion caused by a properly conducted sobriety checkpoint. If conducted properly, sobriety checkpoints do not constitute an illegal search and seizure in most States.

Thirty-nine States and the District of Columbia can legally conduct sobriety checkpoints. The use of sobriety checkpoints as a deterrent is restricted or prohibited in the following States: Alaska, Idaho, Louisiana, Michigan, Minnesota, Oregon, Rhode Island, Texas, Wisconsin, Washington and Wyoming.

Who favors sobriety checkpoints and saturation patrols?

Surveys indicate that 75 percent of Americans favor the use of sobriety checkpoints as a law enforcement tool. The International Association of Chiefs of Police, Operation C.A.R.E. and the National Sheriffs' Association favor them. Citizen groups, such as Mothers Against Drunk Driving, Remove Intoxicated Drivers (RID), Students Against Destructive Decisions, and Citizens Against Drug Impaired Drivers (C.A.N.D.I.D.), strongly favor their use. Private groups, such as Nationwide Insurance and the National Commission Against Drunk Driving, have advocated their increased use for a number of years. Federal agencies, such as the National Transportation Safety Board and NHTSA, also strongly favor their use.

What are the concerns about sobriety checkpoints?

Some people think that sobriety checkpoints cause traffic jams and detain people for extended periods. Well-conducted, well-planned checkpoints delay drivers no more than a few minutes, or the length of an average traffic signal. Some think that checkpoints are costly, time-consuming and labor intensive; however, small-scale checkpoints can be conducted with as few as 3 to 5 officers. Typically, checkpoints use 10 to 12 officers. Officer safety should be a consideration when conducting checkpoints.



Why do we need sobriety checkpoint and saturation patrol programs?

Every year, 1.5 million impaired drivers are arrested yet only one arrest is made for every 772 instances of driving and drinking. Seasonal increases in alcohol and drug use help law enforcement agencies target their enforcement efforts. Sobriety checkpoints and saturation patrols provide law enforcement officials with effective tools for removing impaired drivers from roads and highways.

What makes sobriety checkpoints and saturation patrols so effective?

Sobriety checkpoints and saturation patrols help law enforcement officials detect and arrest impaired drivers. They also are a deterrent to people who might choose to drive impaired by increasing the risk of arrest when the checkpoints and patrols are properly publicized.

Where and when are the best times to run sobriety checkpoints?

Sobriety checkpoints and saturation patrols are generally conducted on weekend nights at locations where the incidence of impaired driving is high, according to arrest and crash records. However, sobriety checkpoints and saturation patrols can be conducted at other times and places.

How do I set up a sobriety checkpoint in my community?

NHTSA has guidelines on how to conduct checkpoints in a safe and legal manner. For more information, materials can be ordered through NHTSA's web site at www.nhtsa.dot.gov. Sobriety checkpoints and saturation patrols should be part of a community's ongoing impaired driving prevention program and/or Safe Communities program. Your department may already have a policy.

